

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

WARD WOODARD,)	
)	
Plaintiff,)	
v.)	No. 3:05-0681
)	JUDGE ECHOLS
MORGAN TIRE & AUTO, INC., d/b/a)	
TIRES PLUS,)	
)	
)	
Defendant.)	

ORDER

For the reasons explained in the Memorandum entered contemporaneously herewith, Defendant's Motion for Summary Judgment (Docket Entry No. 45), is hereby GRANTED IN PART AND DENIED IN PART as follows:

(A) The Motion is GRANTED with respect to:

- (1) Plaintiff's claim for outrageous conduct/intentional infliction of emotional distress;
- (2) Plaintiff's claim for negligent infliction of emotional distress;
- (3) Plaintiff's claim for malicious harassment; and
- (4) Plaintiff's request for punitive damages under the Tennessee Handicap Act.

(B) The Motion is DENIED with respect to:

- (1) Plaintiff's claim under the Tennessee Handicap Act;
- (2) Plaintiff's claim for retaliatory discharge for pursuing worker's compensation benefits; and
- (3) Plaintiff's request for punitive damages on his retaliatory discharge claim.

The pretrial conference will be held **October 2, 2006 at 1:30 p.m.** with the trial to commence on **October 31, 2006 at 9:00 a.m.**, as previously scheduled.

It is so ORDERED.

A handwritten signature in black ink, appearing to read "Robert L. Echols", written over a horizontal line.

ROBERT L. ECHOLS
UNITED STATES DISTRICT JUDGE